

State of Misconsin 2017 - 2018 LEGISLATURE

LRB-4729/3 EAW:emw

## 2017 SENATE BILL 694

January 19, 2018 – Introduced by Senators PETROWSKI, COWLES, MARKLEIN and L. TAYLOR, cosponsored by Representatives SNYDER, E. BROOKS, DOYLE, EDMING, HORLACHER, KULP, SUBECK and SPIROS. Referred to Committee on Judiciary and Public Safety.

AN ACT to renumber 940.203 (1) (a); to amend 940.203 (title); and to create 940.203 (1) (ac) and 940.203 (3) of the statutes; relating to: battery of an officer of the court and providing a criminal penalty.

## Analysis by the Legislative Reference Bureau

This bill makes it a Class H felony to intentionally cause bodily harm or threaten to cause bodily harm to the person or family member of a guardian ad litem, corporation counsel, or attorney in response to an action taken by that guardian ad litem, corporation counsel, or attorney in his or her official capacity in proceedings under the Children's Code, Juvenile Justice Code, or Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act; a guardianship or conservatorship proceeding; a protective service proceeding; or an action affecting the family.

## The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 4 **SECTION 1.** 940.203 (title) of the statutes is amended to read:
- 5 940.203 (title) Battery or threat to judge, prosecutor, an officer of the
- 6 <u>court</u> or law enforcement officer.

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## **SENATE BILL 694**

1	<b>SECTION 2.</b> 940.203 (1) (a) of the statutes is renumbered 940.203 (1) (am).
2	<b>SECTION 3.</b> 940.203 (1) (ac) of the statutes is created to read:
3	940.203 (1) (ac) "Attorney" means a legal professional practicing law, as
4	defined in SCR 23.01.
5	<b>SECTION 4.</b> 940.203 (3) of the statutes is created to read:
6	940.203 (3) Whoever intentionally causes bodily harm or threatens to cause
7	bodily harm to the person or family member of a current or former guardian ad litem,
8	corporation counsel, or attorney under all of the following circumstances is guilty of
9	a Class H felony:
10	(a) At the time of the act or threat, the actor knows or should have known that
11	the victim is a current or former guardian ad litem, corporation counsel, or attorney,
12	or a member of the current or former guardian ad litem's, corporation counsel's, or
13	attorney's family.
14	(b) The act or threat is in response to an action taken by the current or former
15	guardian ad litem, corporation counsel, or attorney in his or her official capacity in
16	a proceeding under ch. 48, 51, 54, 55, 767, 813, or 938.
17	(c) There is no consent by the person harmed or threatened.
18	(END)

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